

EXECUTIVE COUNCIL OF IOWA AGENDA

State Capitol - Robert D. Ray Conference Room (G09) 10:00 a.m.

October 8, 2018

1. Approval of minutes of meeting held September 17, 2018.
2. Personal Appearance –
 - A. Christie Templeton, Department of Human Services will be present to request additional Resolution of Funds in the amount of \$60,000.00 pursuant to Iowa Code §29C.20A with regard to Governor's Proclamation of a State of Disaster Emergency for Allamakee, Bremer, Chickasaw, Cerro Gordo, Floyd, Howard and Winneshiek Counties.
TAB # 1
 - B. Christie Templeton, Department of Human Services will be present to request additional Resolution of Funds in the amount of \$50,000.00 pursuant to Iowa Code §29C.20A with regard to Governor's Proclamation of a State of Disaster Emergency for Union County.
TAB # 2
 - C. Christie Templeton, Department of Human Services will be present to request Resolution of Funds in the amount of \$70,000.00 pursuant to Iowa Code §29C.20A with regard to Governor's Proclamation of a State of Disaster Emergency for Hancock, Humboldt, Plymouth, Sioux and Winnebago Counties.
TAB # 3
 - D. Christie Templeton, Department of Human Services will be present to request Resolution of Funds in the amount of \$470,000.00 pursuant to Iowa Code §29C.20A with regard to Governor's Proclamation of a State of Disaster Emergency for Butler, Cherokee, Clay, Dickinson, Emmet, Franklin, Hancock, Humboldt, Kossuth, O'Brien, Palo Alto, Sioux, Winnebago, Worth and Wright Counties.
TAB # 4

1. Iowa Code §7D.10 – Page 1
TAB # 5
2. Outside Counsel – Page 1
TAB # 6
3. Outside CPA – Page 1
TAB # 7
4. Emergency Allocations – Pages 1-2
5. Payment of Cost Items – Pages 2-4
6. Department of the Navy – Page 5
TAB # 8

3. Iowa Code §7D.10

- A. Attorney General's office request Payment for Expenses under Iowa Code §7D.10 in the amount of \$7,550.29.

TAB # 5

4. Outside Counsel

- A. The Department of Justice, Attorney General's office requests retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Mark Ostring v. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee.

Firm: Patterson Law Firm, L.L.P.

Attorney: Ryan Clark
505 5th Avenue
Suite 729
Des Moines, IA 50309

Rate: \$120.00 Per Hour

TAB # 6

5. Outside CPA Firm

- A. Request from Mary Mosiman, Auditor of State to employ the services of HoganTaylor LLP CPA firm to perform an audit of the Iowa Fund of Funds, Fund A, L.L.L.P., for the year ending December 31, 2018 as required by Section 15E.65(2)(g) of the Code of Iowa.

TAB # 7

6. Emergency Allocations

- A. Department of Public Safety is requesting a supplemental emergency allocation in the amount of \$1,316.25, bringing the total to \$5,769.61, and payment in the amount of \$5,769.61. On June 14, 2018 State Patrol Vehicle #103 was damaged by hail in Moorland. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends allocation and payment. This will represent full and final payment and this allocation will be closed.

- B. Department of Public Safety is requesting a supplemental emergency allocation in the amount of \$53.37, bringing the total to \$5,625.05, and payment in the amount of \$5,625.05. On June 11, 2018 State Patrol Vehicle #443 was damaged by a deer on Highway 2. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends allocation and payment. This will represent full and final payment and this allocation will be closed.

- C. Iowa Veterans Home is requesting a supplemental emergency allocation in the amount of \$5,560.57, bringing the total to \$336,565.80 and payment in the amount of \$289,091.97. On May 17, 2017 a straight line winds damaged various roofs, buildings, trees and the cemetery. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends allocation and payment. This will represent full and final payment and this allocation will be closed.

7. Payment of Cost Items

- A. Department of Public Safety\$2,464.45
On July 10, 2018 State Patrol Vehicle #435 was damaged by a deer on Highway 275. Request was to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment and this allocation closed

- B. Department of Public Safety\$10,382.32
On June 30, 2018 State Patrol Vehicle #284 was damages due to flooding in Ankeny. Request was to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$354.84 will be reverted and this allocation closed.

- C. Department of Public Safety\$8,272.65
On June 17, 2018 State Patrol Vehicle #337 was damages due to a deer on Highway 2. Request was to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment and this allocation closed

- D. Department of Public Safety\$2,658.25
On June 14, 2018 State Patrol Vehicle #316 was damaged by hail in Kingsley.
Request was to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment and this allocation closed

- E. Department of Public Safety\$4,346.22
On June 9, 2018 State Patrol Vehicle #475 was damaged by hail in
Masonville. Request was to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$300.00 will be reverted and this allocation closed.

- F. Department of Corrections\$240,051.23
On July 11, 2017 a storm/lightning damaged perimeter fences. Request was to
cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$1,409.03 will be reverted and this allocation closed.

- G. Belin McCormick, P.C.....\$660.00
666 Walnut Street, Suite 2000
Des Moines, IA 50309
AFSCME Council 61 v. State of Iowa, civil case number CVCV053572

Jeffrey S. Thompson, Solicitor General has reviewed this invoice and recommends payment. Payment will be made from the General Fund

- H. Foley & Lardner, LLP.....\$1,881.00
321 North Clark Street
West Des Moines, IA 50265
Legal Advice to OCIO

Jeffrey S. Thompson, Solicitor General has reviewed this invoice and recommends payment. Payment will be made by OCIO.

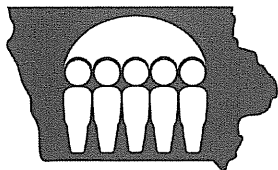
- I. Foley & Lardner, LLP.....\$6,886.20
321 North Clark Street
West Des Moines, IA 50265
Legal Advice to OCIO

Jeffrey S. Thompson, Solicitor General has reviewed this invoice and recommends payment. Payment will be made by OCIO.

- J. Department of Natural Resources\$162,100.05
Drainage taxes for the following counties:

Allamakee	\$2,053.40
Buena Vista	\$20.00
Clinton	\$53.25
Des Moines	\$7,968.00
Dickinson	\$258.00
Emmet	\$8,927.00
Franklin	\$3,547.49
Fremont	\$12,876.77
Greene	\$44.00
Hancock	\$19,776.00
Harrison	\$528.41
Howard	\$40.00
Humboldt	\$2,335.96
Jackson	\$548.94
Kossuth	\$191.14
Louisa	\$10,154.00
Mills	\$1,940.14
Monona	\$102.00
Muscatine	\$776.00
Palo Alto	\$22,145.99
Pocahontas	\$708.03
Pottawattamie	\$3,664.00
Van Buren	\$232.92
Webster	\$808.95
Winnebago	\$16,371.40
Woodbury	\$16,180.18
Worth	\$29,740.00
Wright	\$108.08

Noel Hindt, Assistant Attorney General, has reviewed this request and recommends payment.



Iowa Department of Human Services

Kim Reynolds
Governor

Adam Gregg
Lt. Governor

Jerry R. Foxhoven
Director

EXECUTIVE COUNCIL

September 20, 2018

SEP 20 2018

Victoria Newton, Executive Secretary
Executive Council of Iowa
State Capitol Building
LOCAL

Re: Governor's Proclamation of a State of Disaster Emergency – Request for Funds

Dear Ms. Newton:

On June 10, 2018, a severe storm system caused flooding in Allamakee, Bremer, Chickasaw, Cerro Gordo, Floyd, Howard and Winneshiek Counties causing damage.

Per the Governor's Disaster Proclamation, I am requesting additional funding for the Iowa Individual Assistance Grant Program (IIAGP) be placed on the Executive Council Agenda for Monday, September 24, 2018. The Iowa Department of Human Services is requesting the Executive Council adopt a Resolution for Funds in the amount of \$60,000.00 to be allocated as follows.

- \$60,000.00 for IIAGP Allamakee, Bremer, Chickasaw, Cerro Gordo, Floyd, Howard and Winneshiek Counties

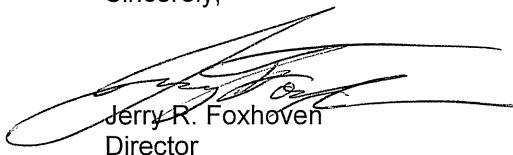
Pursuant to Iowa Code 29C.20A these funds will be distributed to individuals or families to replace/repair items affected by the disaster emergency which cannot be met by other means of financial assistance.

The account coding for the funds to be transferred will be:

<u>Dept</u>	<u>Fund</u>	<u>Appr</u>	<u>Org</u>
401	0391	0000	1803_State Only Disaster IIAGP (6/11/18)

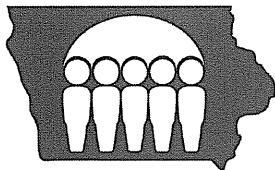
Thank you for your assistance.

Sincerely,



Jerry R. Foxhoven
Director

cc: Vern Armstrong, Department of Human Services
Christie Templeton, Department of Human Services
Harry Rossander, Department of Human Services
Barb DeJoode, Department of Human Services
Robert Beran, Department of Human Services
Trudy Crawford, Department of Human Services
Linda Leto, Department of Management



Iowa Department of Human Services

Kim Reynolds
Governor

Adam Gregg
Lt. Governor

Jerry R. Foxhoven
Director

September 20, 2018

EXECUTIVE COUNCIL

SEP 20 2018

Victoria Newton, Executive Secretary
Executive Council of Iowa
State Capitol Building
LOCAL

Re: Governor's Proclamation of a State of Disaster Emergency – Request for Funds

Dear Ms. Newton:

On June 14, 2018, a severe storm system caused flooding in Hancock, Humboldt, Plymouth, Sioux, and Winnebago Counties causing damage.

Per the Governor's Disaster Proclamation, I am requesting additional funding for the Iowa Individual Assistance Grant Program (IIAGP) be placed on the Executive Council Agenda for Monday, September 24, 2018. The Iowa Department of Human Services is requesting the Executive Council adopt a Resolution for Funds in the amount of \$50,000.00 to be allocated as follows.

- \$50,000.00 for IIAGP Hancock, Humboldt, Plymouth, Sioux, and Winnebago Counties

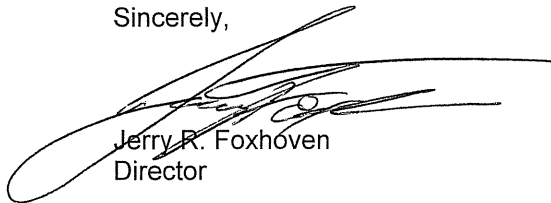
Pursuant to Iowa Code 29C.20A these funds will be distributed to individuals or families to replace/repair items affected by the disaster emergency which cannot be met by other means of financial assistance.

The account coding for the funds to be transferred will be:

<u>Dept</u>	<u>Fund</u>	<u>Appr</u>	<u>Org</u>
401	0391	0000	1806_State Only Disaster IIAGP (6/25/18)

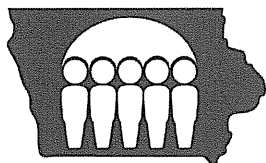
Thank you for your assistance.

Sincerely,



Jerry R. Foxhoven
Director

cc: Vern Armstrong, Department of Human Services
Christie Templeton, Department of Human Services
Harry Rossander, Department of Human Services
Barb DeJoode, Department of Human Services
Robert Beran, Department of Human Services
Trudy Crawford, Department of Human Services
Linda Leto, Department of Management



Iowa Department of Human Services

Kim Reynolds
Governor

Adam Gregg
EXECUTIVE COUNCIL

Jerry R. Foxhoven
Director

SEP 28 2018

Victoria Newton, Executive Secretary
Executive Council of Iowa
State Capitol Building
LOCAL

September 27, 2018

Re: Governor's Proclamation of a State of Disaster Emergency – Request for Funds

Dear Ms. Newton:

On September 19, 2018, a severe storm system in Butler, Cherokee, Clay, Dickinson, Emmet, Franklin, Hancock, Humboldt, Kossuth, O'Brien, Palo Alto, Sioux, Winnebago, Worth, and Wright Counties caused damage.

Per the Governor's Disaster Proclamation, I am requesting funding for the Iowa Individual Assistance Grant Program (IIAGP) and Iowa Disaster Case Management Grant Program (IDCM) be placed on the Executive Council Agenda for Monday, October 1, 2018. The Iowa Department of Human Services is requesting the Executive Council adopt a Resolution for Funds in the amount of \$470,000.00 to be allocated as follows.

- \$250,000.00 for IIAGP for Cherokee, Clay, Dickinson, Emmet, Franklin, Hancock, Humboldt, Kossuth, O'Brien, Palo Alto, Sioux, Winnebago, Worth, and Wright Counties
- \$150,000.00 for IDCM for Cherokee, Clay, Dickinson, Emmet, Franklin, Hancock, Humboldt, Kossuth, O'Brien, Palo Alto, Sioux, Winnebago, Worth, and Wright Counties
- \$50,000.00 for IIAGP for Butler County
- \$20,000.00 for IDCM for Butler County

Pursuant to Iowa Code 29C.20A these funds will be distributed to individuals or families to replace/repair items affected by the disaster emergency which cannot be met by other means of financial assistance. Pursuant to Iowa Code 29C.20B funding will be distributed to Disaster Case Management to help individuals or families with unmet needs that were affected by the disaster to establish a recovery plan.

The account coding for the funds to be transferred will be:

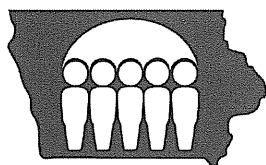
Dept	Fund	Appr	Org	Description
401	0391	0000	1911	_ State Only Disaster IIAGP (9/19/18) Cherokee, Clay, Dickinson, Emmet, Franklin, Hancock, Humboldt, Kossuth, O'Brien, Palo Alto, Sioux, Winnebago, Worth, and Wright Counties
401	0391	0000	6023	_ State Only IDCM (9/19/18) Cherokee, Clay, Dickinson, Emmet, Franklin, Hancock, Humboldt, Kossuth, O'Brien, Palo Alto, Sioux, Winnebago, Worth, and Wright Counties
401	0391	0000	1912	_ State Only Disaster IIAGP (9/19/18) Butler County
401	0391	0000	6024	_ State Only IDCM (9/19/18) Butler County

Thank you for your assistance.

Sincerely,

Jerry R. Foxhoven
Director

cc: Vern Armstrong, Department of Human Services
Christie Templeton, Department of Human Services
Harry Rossander, Department of Human Services
Barb DeJoode, Department of Human Services
Robert Beran, Department of Human Services
Trudy Crawford, Department of Human Services
Linda Leto, Department of Management



Iowa Department of Human Services

Kim Reynolds
Governor

Adam Gregg
Lt. Governor

Jerry R. Foxhoven
Director

September 27, 2018

EXECUTIVE COUNCIL

SEP 28 2018

Victoria Newton, Executive Secretary
Executive Council of Iowa
State Capitol Building
LOCAL

Re: Governor's Proclamation of a State of Disaster Emergency – Request for Funds

Dear Ms. Newton:

On August 29, 2018, a severe storm system in Union County caused damage.

Per the Governor's Disaster Proclamation, I am requesting funding for the Iowa Individual Assistance Grant Program (IIAGP) and Iowa Disaster Case Management Grant Program (IDCM) be placed on the Executive Council Agenda for Monday, October 1, 2018. The Iowa Department of Human Services is requesting the Executive Council adopt a Resolution for Funds in the amount of \$70,000.00 to be allocated as follows.

- \$50,000.00 for IIAGP for Union County
- \$20,000.00 for IDCM for Union County

Pursuant to Iowa Code 29C.20A these funds will be distributed to individuals or families to replace/repair items affected by the disaster emergency which cannot be met by other means of financial assistance. Pursuant to Iowa Code 29C.20B funding will be distributed to Disaster Case Management to help individuals or families with unmet needs that were affected by the disaster to establish a recovery plan.

The account coding for the funds to be transferred will be:

<u>Dept</u>	<u>Fund</u>	<u>Appr</u>	<u>Org</u>
401	0391	0000	1910 _ State Only Disaster IIAGP (8/29/18) Union County
401	0391	0000	6022 _ State Only IDCM (8/29/18) Union County

Thank you for your assistance.

Sincerely,

Jerry R. Foxhoven
Director

cc: Vern Armstrong, Department of Human Services
Christie Templeton, Department of Human Services
Harry Rossander, Department of Human Services
Barb DeJoode, Department of Human Services
Robert Beran, Department of Human Services
Trudy Crawford, Department of Human Services
Linda Leto, Department of Management

THOMAS J. MILLER
ATTORNEY GENERAL

ERIC TABOR
CHIEF DEPUTY ATTORNEY GENERAL



IOWA DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

1305 E. WALNUT ST.
DES MOINES, IA 50319
Main: 515-281-5164 • Direct: 515-281-5191
Email: Eric.Tabor@ag.iowa.gov
www.iowaattorneygeneral.gov

September 26, 2018

Ms. Victoria Newton
Executive Secretary
Executive Council
State Capitol
L-O-C-A-L

Re: Request for Payment of SVP Court Costs

Dear Victoria:

Our Office requests Executive Council approval for payment pursuant to Iowa Code section 7D.10 for court costs and expenses incurred in prosecuting civil commitments under Iowa Code chapter 229A for the Sexually Violent Predator (SVP) program.

In addition to the cost of employee salaries, travel and support devoted to this program, the Office incurs substantial expenses for expert witnesses. These expenses have increased substantially due to the growing number of chapter 229A commitments. Section 7D.10 authorizes payment of court costs and expenses by the Executive Council "[i]f sufficient funds for court costs have not been appropriated to a state department, or if sufficient funds are not otherwise available for such purposes within the budget of a state department." There is no specific appropriation for these expenses and sufficient funds are not otherwise available.

Therefore, pursuant to Iowa Code section 7D.10, the Office requests Executive Council approval of payment of \$7,550.29 in expert witness fees (invoices enclosed).

Sincerely yours,

ERIC TABOR
Chief Deputy

Encl.

THOMAS J. MILLER
ATTORNEY GENERAL

JEFFREY S. THOMPSON
SOLICITOR GENERAL



IOWA DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

1305 E. WALNUT ST.
DES MOINES, IA 50319
Main: 515-281-5164 • Direct: 515-281-4419
Email: Jeffrey.Thompson@iowa.gov
www.iowaattorneygeneral.gov

September 24, 2018

Victoria Newton
Executive Secretary
Executive Council
State Capitol
L-O-C-A-L

Re: Retention of Outside Counsel

Dear Victoria:

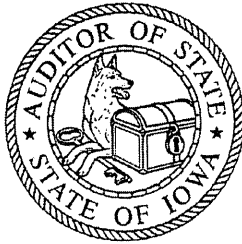
Our office requests appointment of outside counsel pursuant to Iowa Code section 13.3(1) in *Mark Ostring v. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee. Because the resolution of this claim may turn on whether the State of Iowa or the Second Injury Fund must pay workers' compensation benefits, our office cannot represent both defendants.

In order to avoid a conflict of interest, the Special Litigation Division has contacted Ryan Clark of the Patterson Law Firm, L.L.P., 505 5th Avenue, Suite 729, Des Moines, Iowa 50309-2390, to represent the Second Injury Fund. Mr. Clark has agreed to represent the Second Injury Fund at the rate of \$120.00 per hour. Our office will represent the State of Iowa.

Accordingly, we request Executive Council approval to retain Mr. Clark to represent the Second Injury Fund in this case.

Sincerely,

JEFFREY S. THOMPSON
Solicitor General



OFFICE OF AUDITOR OF STATE
STATE OF IOWA

State Capitol Building
Des Moines, Iowa 50319-0004

Telephone (515) 281-5834 Facsimile (515) 281-6518

Mary Mosiman, CPA
Auditor of State

September 24, 2018

EXECUTIVE COUNCIL

Victoria Newton, Secretary
Executive Council of Iowa
State Capitol Building
L O C A L

SEP 25 2018

Dear Victoria:

I respectfully request permission of the Executive Council to employ the services of the HoganTaylor LLP CPA firm to perform the audit of the Iowa Fund of Funds, Fund A, L.L.L.P. for the year ending December 31, 2018 as required by Section 15E.65(2)(g) of the Code of Iowa.

The total reimbursement for audit shall not be for more than \$17,000. A copy of the proposed Agreement is attached.

Your assistance in this matter is greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Mary Mosiman".

Mary Mosiman, CPA

MM/dd
Attachment

AGREEMENT BETWEEN

OFFICE OF AUDITOR OF STATE

AND

HoganTaylor LLP

THIS AGREEMENT made and entered into this 24th day of September, 2018 by and between the Office of Auditor of State, hereinafter called the Auditor of State and HoganTaylor LLP, hereinafter called "CPA."

WHEREAS, the Auditor of State wishes to obtain audit services of the CPA to perform the annual audit of the Iowa Fund of Funds, Fund A, L.L.L.P. required by Section 15E.65(2)(g), Code of Iowa for the year ending December 31, 2018.

WHEREAS, the CPA is equipped and staffed to assist in the above audit and review; and

WHEREAS, this agreement is in the public interest in fulfilling the requirements of the Code of Iowa.

NOW, THEREFORE, BE IT UNDERSTOOD AND AGREED:

1. That the CPA will:

- A. Provide auditors of various classifications and for estimated hours as detailed in 2.A of this agreement
- B. Begin work on the audit engagement as specifically agreed upon. Fieldwork for the audits must be performed and draft reports available by May 15 and the final reports delivered to the Auditor of State and the Board of Directors of the Iowa Capital Investment Corporation by July 1st of the year following the audit period.
- C. Perform all work in accordance with U.S. generally accepted auditing standards. The audit reports shall conform to any sample reports in existing AICPA Audit Guides.
- D. Immediately inform the Auditor of State and the County Attorney if the audit discloses any irregularity in the collection or disbursement of public funds.

- E. Provide access to the working papers to any appropriate federal agencies for the period of time specified in relevant.
- F. Provide access to the working papers to the Auditor of State.
- G. CPA's audit reports shall include management letters, if appropriate, which include recommendations affecting the financial statements, internal controls, legality of actions, and any other matters reasonable considered appropriate by the Auditor.

2. Conditions of Payment:

- A. The CPA shall present an invoice to Iowa Fund of Funds, who is responsible for payment of the cost of the audit.
- B. Payment shall be made within 30 days of receipt of invoice.
- C. The total fees and compensation to CPA shall not be for more than \$17,000 for the year ending December 31, 2018, except as specifically agreed by the Auditor of State and the CPA.
- D. An electronic copy of the audit report, prepared in accordance with this Agreement, including the management letter, must be delivered to the Auditor of State by July 1, 2019. Copies will be provided to the Fund Manager and to the Iowa Capital investment Corporation Board of Directors as reasonably requested.

3. Termination of Agreement:

- A. The Auditor of State may terminate this contract without notice if the CPA fails to perform the covenants or agreements contained herein.
- B. The CPA shall be paid for all work satisfactorily performed to the date of termination.

IN WITNESS THEREOF, the Auditor of State and CPA have executed this AGREEMENT as of the date indicated below:

CPA

By: _____

Title: Partner

Date: _____

Auditor of State

BY: _____

Title: Auditor of State

Date: September 24, 2018



DEPARTMENT OF THE NAVY

NAVAL SEA SYSTEMS COMMAND
1333 ISAAC HULL AVENUE
WASHINGTON NAVY YARD DC 20376

IN REPLY REFER TO

5750

Ser 00D/0621-01

Sept. 14, 2018

Ms. G. Madsen
Executive Council of Iowa
1007 East Grand
State Capitol Bldg. Rm. 114
Des Moines, IA 50319

EXECUTIVE COUNCIL

SEP 24 2018

Dear Ms. Madsen:

The Naval Sea Systems Command is pleased to be able to offer you the loan of our exhibition ship model for another year. Contract N00024-82-C-0204 will expire on November 1, 2018.

To easily extend the loan agreement, sign both copies of Supplement No. 35 and return one of them along with a current Certificate of Insurance. The Certificate of Insurance should reflect the requirement to provide 30 days advance written notice of any policy cancellation. It should also show adequate Fine Arts coverage, reflecting the current value as stated on the enclosed supplement, and Bodily Injury Liability coverage in the amount of \$300,000.00, per occurrence. Please keep one copy of the supplement for your records.

Your prompt attention is greatly appreciated. It is our hope that you continue to enjoy the model, and we look forward to receiving your reply. We can be reached on (202) 781-4832 if you have any questions.

Sincerely,

E. RORY O'CONNOR
Director, Office of
Corporate Communications